

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

**ROBERT WAGNER,**

**Plaintiff,**

**8:12CV392**

**vs.**

**CITY OF OMAHA, et al.,**

**Defendant.**

**ORDER**

This matter is before the court *sua sponte*.

On May 29, 2013, Magistrate Judge Thomas D. Thalken granted the plaintiff's Motion for Leave to File First Amended Complaint. **See** Filing Nos. 63 - Order (Text); [62](#) - Motion. The plaintiff sought to add defendant Matthew Keenan and dismiss defendants Christian Mirch, Reuben Soto, Danielle Cloudt, and William Sibert. **See** [Filing No. 62](#) - Motion. The plaintiff filed the First Amended Complaint on May 29, 2013, naming Matthew Keenan and excluding Christian Mirch, Reuben Soto, Danielle Cloudt, and William Sibert. **See** [Filing No. 64](#) - First Amended Complaint. Accordingly,

**IT IS ORDERED:**

Defendants Christian Mirch, Reuben Soto, Danielle Cloudt, and William Sibert are dismissed from this matter without prejudice.

Dated this 31st day of May, 2013.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge